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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/088,765	03/20/2002	Erich Kamperschroer	112740-548	2279

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EXAMINER

DAO, MINH D

ART UNIT PAPER NUMBER

2682

DATE MAILED: 08/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/088,765

Applicant(s)

KAMPERSCHROER, ERICH

Examiner

MINH D DAO

Art Unit

2682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 4-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claim 4 recites the limitation "the choice of a logical channel" in line 31 of page
11. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 4, 5 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Rye et al. (US 6,229,433).

Regarding claim 4, Rye teaches a method for remote control conversion of at least one appliance which is contained in a local area network (see entire fig. 1) and is connected to a telecommunications terminal (see fig. 1, Interface Unit 10), the method comprising the steps of:

allocating a unique appliance identification to the at least one appliance (col. 2, lines 9-17, in this case, the lamp read on the appliance of the claim); specifying, in a stored list in one sub-region of a memory in the telecommunications terminal, one logical channel (in this case, since the transmitter of Rye communicates with the appliances such as lamps TV sets, therefore the addresses of all appliances should be assigned so that the transmitter would know which address to communicate with when it needs to) to at least one appliance identification, such that, when one and only one appliance identification is associated with the logical channel, the logical channel has a primary data record (in this case, the address of each appliance reads on the primary record of the claim) associated with it and, if at least one appliance identification is associated with the logical channel via, in each case, at least one control command, the logical channel has an associated secondary data record (col. 1, lines 26-35); forming the primary data record such that at least the appliance identification is included (col. 1, lines 26-29); forming the secondary data record that at least one of the appliance identifications is contained in an organized sequence with at least one control command (col.1, lines 36-40, in this case, the operation such as turning the appliances

on and off reads on the secondary data record of the claim); driving the at least one appliance such that, if there is a primary data record associated with the logical channel, one and only one appliance which is defined by the included appliance identification is driven and, if there is a secondary data record associated with the logical channel, at least one appliance which is defined by an appliance identification is driven successively in the organized sequence col. 2, lines 17-20); and transmitting, in each case, at least one control command, which is predetermined for the respective appliance identification, to the respective appliance when the choice of a logical channel is transmitted to the telecommunications terminal (col. 2, lines 17-20).

Regarding claim 5, Rye teaches a method for remote control conversion of at least one appliance which is contained in a local area network and is connected to a telecommunications terminal as claimed in claim 4, wherein at least one appliance is allocated an alphanumeric appliance identification as the appliance identification, which is transmitted by the at least one appliance (see fig. 6, "My Lamp", "My Appliance").

Regarding claim 5, Rye teaches A method for remote control conversion of at least one appliance which is contained in a local area network and is connected to a telecommunications terminal as claimed in claim 4, wherein the at least one appliance is allocated an appliance number as the appliance identification, and the appliance number is incremented by one for each further appliance which is connected to the telecommunications terminal (col. 3, lines 37-43).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


- a. Ciciora (US 5,815,297) discloses Infrared Interface And Control For Consumer Electronics.
- b. Campbell et al. (4,200,862) discloses Appliance Control.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MINH D DAO whose telephone number is 703-305-5589. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, VIVIAN C CHIN can be reached on 703-308-6739. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Minh Dao
Art Unit 2682
July 16, 2004 *MD*


VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
TECHNICAL CENTER 2600
7/26/04